

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

CARDIONET, LLC,

and

BRAEMAR MANUFACTURING, LLC,

Plaintiffs,

v.

INFOBIONIC, INC.,

Defendant.

Civil Action No. 1:15-cv-11803-IT

Hon. Indira Talwani

**DEFENDANT INFOBIONIC'S RENEWED MOTION FOR JUDGMENT ON THE
PLEADINGS THAT ALL ASSERTED CLAIMS OF U.S. PATENT NOS. RE43,767,
7,212,850, 7,907,996 AND 7,099,715 ARE INVALID UNDER 35 U.S.C. § 101**

Per the Court's order dated March 20, 2017 (#280), Defendant InfoBionic renews its motion for judgment on the pleadings that all asserted claims of U.S. Patent Nos. RE43,767, 7,212,850, 7,907,996 and 7,099,715 are invalid under 35 U.S.C. § 101, and that Counts III, IV, V and VI of CardioNet's Third Amended Complaint (#279) should be dismissed with prejudice.¹

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d), InfoBionic respectfully requests that the Court hold oral argument on this motion, as InfoBionic believes that oral argument will assist the Court.

¹ In support of this Renewed Motion, InfoBionic relies on the briefing, memoranda, and exhibits previously filed in support of its Motion for Judgment on the Pleadings (##152, 154, 171, 187).

Dated: March 20, 2017

Respectfully submitted,

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Counsel for Defendant InfoBionic, Inc.

LOCAL RULE 7.1 CERTIFICATION

I, Charles H. Sanders, counsel for Defendant InfoBionic, hereby certify that we have conferred with counsel for CardioNet to resolve or narrow the issues presented in this motion but, after good faith attempt, the parties reached no agreement.

Dated: March 20, 2017

By: /s/ Charles H. Sanders
Charles H. Sanders (BBO #646740)

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each party via the Court's CM/ECF filing system.

Dated: March 20, 2017

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